

The Regular Meeting of the Troy City Planning Commission was called to order by Chairman Littman at 7:30 p.m. on October 14, 2003, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Dennis A. Kramer  
Lawrence Littman  
Robert Schultz  
Walter Storrs  
Thomas Strat  
Mark J. Vleck  
David T. Waller  
Wayne Wright

Absent:

Gary Chamberlain

Also Present:

Mark F. Miller, Planning Director  
Brent Savidant, Principal Planner  
Susan Lancaster, Assistant City Attorney  
Richard K. Carlisle, Carlisle/Wortman Associates  
Amalfi Parker, Student Representative  
Kathy Czarnecki, Recording Secretary

**Resolution # PC-2003-10-027**

Moved by: Schultz

Seconded by: Vleck

**RESOLVED**, That Mr. Chamberlain be excused from attendance at this meeting.

Yes: All present (8)

No: None

Absent: Chamberlain

**MOTION CARRIED**

2. PUBLIC COMMENTS

There was no one present who wished to speak.

**TABLED ITEMS**

3. PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENT (ZOTA 201) – Article 28.20.13 or 28.30.00 Arts and Dance Schools in Light Industrial Zoning Districts

Mr. Miller reported that it is the recommendation of the Planning Department to postpone the Public Hearing for indoor commercial recreation uses in the M-1 District. He explained the postponement would allow time for the Planning Commission to arrive at a fair assessment of the issue, based on an analysis of the M-1 District and the Maple Road Corridor.

Kenneth Posner of 6960 Orchard Lake Road, West Bloomfield, was present to represent the petitioner. Mr. Posner noted that the intent of the request is to permit all types of recreational uses in the M-1 zoning district, not particularly the arts and dance studio. Mr. Posner stated the petitioner has no objection to tabling the matter.

**PUBLIC HEARING OPENED**

No one was present to speak.

**PUBLIC HEARING CLOSED****Resolution # PC-2003-10-028**

Moved by: Kramer

Seconded by: Wright

**RESOLVED**, That the Zoning Ordinance Text Amendment (ZOTA 201) requested by The Link School for the Arts is hereby tabled for six (6) months to the April 13, 2004 Regular Meeting, to allow sufficient study of the Maple Road Corridor and abutting industrial areas and the M-1 Light Industrial District.

Yes: All present (8)

No: None

Absent: Chamberlain

**MOTION CARRIED**

4. PUBLIC HEARING – PROPOSED PLANNED UNIT DEVELOPMENT (PUD-3) – Proposed Sterling Corporate Center, North Side of Big Beaver, West of I-75, Section 21 – O-S-C

Mr. Miller presented a summary of the Planning Department report for the proposed Sterling Corporate Center PUD. Mr. Miller reported that it is the recommendation of the Planning Department to approve the PUD.

Mr. Carlisle, Planning Consultant, presented a summary of his report on the proposed PUD. He noted that as a result of extensive discussions among the petitioner, Planning Department, City staff and himself, all original concerns have been addressed. Mr. Carlisle gave an overview of the recent revisions to the plan that have made it an acceptable Planned Unit Development project; i.e., extensive streetscape and pedestrian walkability improvements, a restaurant attached to the parking structure, storm water retention and landscaping improvements, and quality building materials. It is the recommendation of Mr. Carlisle to approve the PUD.

The petitioner, Peter Burton of Burton Katzman Development Company, 30100 Telegraph Road, Suite 366, Bingham Farms, was present. Mr. Burton said it has been three years of working together with City staff, politicians, the Planning Commission and the Planning Consultant to create the PUD document. The PUD ordinance has been achieved to create a project that fits a vision of the City of Troy from a planning perspective as well as maximizing value. Mr. Burton said the project would be one of which everyone can be proud, and he looks forward to working with the community in seeing the project to its fruition.

Mr. Strat asked the petitioner why cross sections of the pedestrian walkway and parking lot have not been provided as requested by the Commission.

Chuck DiMaggio of Burton Katzman was present. Mr. DiMaggio responded that a cross section prepared by the project engineer was discussed at a previous study session, at which time it was attempted to address Mr. Strat's concerns. He stated that a total depression of the parking area could not be accomplished because of the complexities involved with the storm water drainage system and handicapped facilities from the parking spaces up to the level of the building. Mr. DiMaggio said that Mr. Strat's suggestions were seriously considered and believes they have been addressed meaningfully.

Mr. Strat commented that no documentation has been provided to the fact that the depression of the parking lot could not be accomplished due to the underground water retention.

Mr. Burton responded that the project engineers have tried to their greatest extent to accomplish the depression of the parking lot, as suggested by Mr. Strat, and wanted to go on record to state that they would continue to work on improving that concept.

Mr. Kramer questioned the proposed landscaping on the MDOT property within the I-75 Interstate cloverleaf.

Mr. Burton stated that there is no way to assure MDOT's commitment to the landscaping, but Burton Katzman promises to work together with the City to get the landscaping. Mr. Burton said that in the event MDOT does not achieve the landscaping, Burton Katzman has committed to donate to the City the equivalent dollar amount of the landscaping for other improvements along Big Beaver Road.

Mr. DiMaggio stated that contacts with MDOT relative to landscaping the cloverleaf have led Burton Katzman to believe it is achievable. Mr. DiMaggio said a permit application has been submitted to MDOT.

Mr. Miller reported the preliminary plan includes the I-75 cloverleaf landscaping, and the plan would have to be considered again should MDOT not commit to the landscaping prior to final plan approval. Mr. Miller said he is comfortable with the proposal at this time because of the commitment made by Burton Katzman in their September 7, 2003 communication.

#### PUBLIC HEARING OPENED

No one was present to speak.

#### PUBLIC HEARING CLOSED

Mr. Storrs said he initially thought and still thinks the proposed development does not qualify under the PUD ordinance, even with the substantial changes and improvements that have recently been made. He cited that the development fails six of the eight objectives under the *Intent* and believes the proposed improvements do not justify the 70% increase in office density. Further, Mr. Storrs said that the development fails three out of the five objectives under *Eligibility*, as well as failing some of the General Development standards. Mr. Storrs said he would like to see a more aggressive mixed-use development on the site.

#### **Resolution # PC-2003-10-029**

Moved by: Waller

Seconded by: Wright

**RESOLVED**, That the Preliminary Plan for a Planned Unit Development, pursuant to Article 35.60.01, as requested by Burton Katzman, for the Sterling Corporate Center Planned Unit Development (PUD – 3), located on the north side of Big Beaver Road and on the west side of I-75, located in section 21, within the O-S-C zoning district, being 5.91 acres in size, is hereby recommended for approval by the Planning Commission.

**BE IT FURTHER RESOLVED**, the proposed PUD meets the location requirements set forth in Article 35.30.00, A and B.2.

**BE IT FURTHER RESOLVED**, pursuant to Article 35.30.00.C.1, the applicant demonstrated quality objectives such as those referred to in Section 35.30.00-B-2. In the earlier submissions, the applicant relied heavily upon these standards primarily related to the building in order to justify the PUD. The revised plan places more emphasis on site improvements that will set a positive tone for the Big Beaver corridor. Furthermore, the applicant has provided a concept plan and committed to fund a more detailed design plan for the Big Beaver Corridor.

**BE IT FURTHER RESOLVED**, pursuant to Article 35.30.00.C.2, the applicant provides a mixture of land uses that would otherwise not be permitted, provided that other objectives of this Article are met and the resulting development would promote the public health, safety, and welfare. The project has been represented as “mixed use” in nature. The applicant has indicated in previous documentation that the ground floor will be reserved for commercial uses, including restaurants, health facilities, sundry shops, apparel shops, etc. All of these proposed uses are permitted in the underlying O-S-C zoning district. While the restaurant, fronting on Wilshire Drive furthers the case for mixed use on the site, in that it would not be permitted in the underlying O-S-C zoning district.

**BE IT FURTHER RESOLVED**, pursuant to Article 35.30.00.C.3, the applicant provides a public improvement, or other facility used by the public, which could not otherwise be required, that would further the public health, safety, and welfare, or protect existing or future uses from the impacts of the proposed uses. The improvements to the I75 exit ramp cloverleaf, titled the “Gateway Treatment”, and Wilshire Drive are identified public improvements as required. In addition, street trees and pedestrian paving were added to the center median of Wilshire Drive and at the east side of Wilshire near the Big Beaver intersection.

**BE IT FURTHER RESOLVED**, pursuant to Article 35.30.00.C.4, traffic congestion on the site was previously improved with the removal of the northeast entry into the garage, the widened exit at the bank drive-thru, the enlarged truck loading area and the additional exit lane at the main entrance to the site. The traffic impact study has been provided, and the applicant has indicated that all recommendations of the plan will be carried out including lane improvements on Big Beaver Road. Additional modifications have been made to the boulevard access and valet drop-off at the request of the City.

**BE IT FURTHER RESOLVED**, Pursuant to Article 35.30.00.C.7, the PUD is generally in compliance with the Future Land Use Plan. The Future Land Use Plan does not specifically contemplate a development which is significantly greater than the intended intensity of the site. Given the location of the site and its relationship to surrounding land use, a building of this size, height and intensity would be appropriate, provided there are sufficient benefits afforded by the PUD.

**BE IT FURTHER RESOLVED**, that the Preliminary Planned Unit Development consist of a project manual, dated September 2 2003, which contains narratives, reduced plans, and full size plans, including the following:

Project Manual – Dated and Stamped September 2, 2003

Sheet P-3	Architectural Survey
Sheet P-4	Preliminary Site Plan
Sheet P-5	Open Space Plan
Sheet P-6	Big Beaver Road Improvements
Sheet P-7	Wilshire Drive Improvements
Sheet L-1	Preliminary Landscape Plan

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Sheet L-2	Gateway Landscape Plan
Sheet L-3	Preliminary Streetscape Plan
Sheet L-4	I-75 Section Plan
Sheet L-5	Big Beaver Road Urban Design Concept Sketch
Sheet A-100	Circulation, Lighting and 1 <sup>st</sup> Level Plan
Sheet A-101	Lower & Second Level Plan
Sheet A-102	Third & Fourth Level Plan
Sheet A-200	North and South Elevations
Sheet A-201	East and West Elevations (stamped October 9, 2003)
Sheet A-202	Building Sign Elevations and Details (stamped October 9, 2003)
Sheet A-203	Building Sign Elevations
Sheet A-300	Building Sections
Sheet L-100	Site Lighting Plan
Sheet L-200	Site Lighting Photometric Plan
Sheet L-300	Building Lighting Plan
Sheet AR-1	Big Beaver Road Photographic Elevation (day)
Sheet AR-2	Big Beaver Road Elevation (night)
Sheet AR-3	North and South Elevations
Sheet AR-4	East and West Elevations
Sheet AR-5	City Wide Elevation
Sheet AR-6	Plaza Perspective
Sheet AR-7	Wilshire Drive Building Perspective
Sheet AR-8	Parking Structure Enlarged Elevations
Sheet AR-9	Building Material Examples
Sheet AR-10	Building Material Samples

Full Size Plans (Stamped by Planning Dept. - Revised Sept. 3, 2003):

Sheet P-1	Cover Sheet
Sheet P-3	Architectural Survey
Sheet P-4	Preliminary Site Plan
Sheet P-5	Open Space Plan
Sheet P-6	Big Beaver Road Improvements
Sheet P-7	Wilshire Drive Improvements
Sheet L-1	Preliminary Landscape Plan
Sheet L-2	Gateway Landscape Plan
Sheet L-4	I-75 Section Plan
Sheet A-100	Circulation, Lighting and 1 <sup>st</sup> Level Plan
Sheet A-101	Lower & Second Level Plan
Sheet A-102	Third & Fourth Level Plan
Sheet A-103	Floor Plans
Sheet A-200	North and South Elevations
Sheet A-201	East and West Elevations (stamped October 9, 2003)
Sheet A-202	Building Sign Elevations and Details (stamped October 9, 2003)
Sheet A-203	Building Sign Elevations
Sheet A-300	Building Sections
Sheet L-100	Site Lighting Plan

Sheet L-200      Site Lighting Photometric Plan  
Sheet L-300      Building Lighting Plan

***BE IT FINALLY RESOLVED***, That

1. The lower level of the building exterior (dark material) shall be all granite.
2. Uplighting all four sides of underside of pagoda style roof shall be allowed.
3. No illuminated signage on high-rise building on north or west side above 4<sup>th</sup> floor (ground floor plus 3 floors). Exterior signage for the restaurant located alongside the west side of the parking deck is allowed.
4. Parking structure has horizontal bars in open spaces (same as building).
5. If MDOT agrees, landscaping shall be provided along east edge of property on MDOT property, between the I-75 off-ramp and the property line plus in the Northwest cloverleaf of I-75 immediately east of the property. In addition, irrigation and/or lawn sprinklers will be provided on the MDOT property, with water being provided from the Sterling Bank site at no cost to MDOT or the City of Troy. Further, all maintenance and winterizing of the irrigation and/or lawn sprinklers on MDOT property will be the responsibility of Sterling Bank and/or Burton Katzman. If the above cannot be accomplished, then a cash payment to the City of Troy for alternate landscaping to the west of the site shall be provided of equivalent value of the landscaping proposed, due within six months of construction start.
6. Rooftop gardens concept shall be encouraged for the following locations:  
2nd level at building access to parking deck  
top of building (adjacent to top two floors)  
top of parking structure (partial)  
  
If the rooftop gardens concept is utilized, the square footage allocated shall be considered in all calculations for landscaping, open space and green space.
7. Electrical connections shall be provided and maintained for a future gateway sign.
8. For Wilshire Boulevard, landscaping shall be provided in the median.
9. Commitments made to two neighboring subdivision shall be honored.
10. To allow maximum visibility of the front of the building, incorporate into the design for the front plaza area the lowest possible practical elevation for the parking and lower as much as possible the berm adjacent to the Big Beaver sidewalk.

11. The proposed urban sidewalk design shall be included. Consideration should be given to providing useful and decorative low level pedestrian scale lighting along Big Beaver Road.
12. For the fire service road to the north and east of the parking structure, consideration should be given for use of an open grid type paver for road construction. This would allow grass to grow in the open spaces and water to permeate.

Discussion.

Mr. Vleck suggested the motion request the petitioner to provide a side elevation plan that shows the building elevation, the front parking elevation and the Big Beaver Road elevation.

The Commission was in agreement.

Mr. Strat suggested the motion include pedestrian scale lighting along Wilshire Boulevard, as well as Big Beaver Road.

The Commission was in agreement.

Mr. Schultz suggested the motion include pedestrian scale lighting to be extended to the north property line of the project to give a cohesive finished appearance to the entire site (Concept Plan L-3).

The Commission was in agreement.

Discussion followed with respect to commitments made to the neighboring residents and the exterior illumination of the project.

**Resolution # PC-2003-10-030**

Moved by: Vleck

Seconded by: Storrs

**RESOLVED**, That item #9, "Commitments made to two neighboring subdivisions shall be honored" be deleted from the motion (Resolution #PC-2003-10-029).

Yes: Kramer, Littman, Storrs, Vleck, Wright

No: Schultz, Strat, Waller

Absent: Chamberlain

**MOTION CARRIED**



Vote on the motion (Resolution #PC-2003-10-029), as amended to read as follows.

***BE IT FURTHER RESOLVED***, That

1. The lower level of the building exterior (dark material) shall be all granite.
2. Uplighting all four sides of the underside of pagoda style roof shall be allowed.
3. No illuminated signage on high-rise building on north or west side above the 4<sup>th</sup> floor (ground floor plus 3 floors). Exterior signage for the restaurant located alongside the west side of the parking structure is allowed.
4. Parking structure has horizontal bars in open spaces, the same as the building.
5. If MDOT agrees, landscaping shall be provided along east edge of property on MDOT property, between the I-75 off-ramp and the property line plus in the northwest cloverleaf of I-75 immediately east of the property. In addition, irrigation and/or lawn sprinklers will be provided on the MDOT property, with water being provided from the Sterling Bank site at no cost to MDOT or the City of Troy. Further, all maintenance and winterizing of the irrigation and/or lawn sprinklers on MDOT property will be the responsibility of Sterling Bank and/or Burton Katzman. If the above cannot be accomplished, then a cash payment to the City of Troy for alternate landscaping to the west of the site shall be provided of equivalent value of the landscaping proposed, due within six months of construction start.
6. Rooftop gardens concept shall be encouraged for the following locations:  
2nd level at building access to parking structure  
top of building (adjacent to top two floors)  
top of parking structure (partial)  
  
If the rooftop gardens concept is utilized, the square footage allocated shall be considered in all calculations for landscaping, open space and green space.
7. Electrical connections shall be provided and maintained for a future gateway sign.
8. For Wilshire Boulevard, landscaping shall be provided in the median.
9. To allow maximum visibility of the front of the building, incorporate into the design for the front plaza area the lowest possible practical elevation for the parking and lower as much as possible the berm adjacent to the Big Beaver sidewalk.
10. The proposed urban sidewalk design shall be included and extended to the north property line along Wilshire Boulevard. Consideration should be given to

providing useful and decorative low level pedestrian scale lighting along Big Beaver Road and Wilshire Boulevard.

11. For the fire service road to the north and east of the parking structure, consideration should be given for use of an open grid type paver for road construction. This would allow grass to grow in the open spaces and water to permeate.
12. The Petitioner shall provide a side elevation drawing of the front of the building, including Big Beaver Road. This drawing shall be provided with the Troy City Council submission.

Yes: Kramer, Littman, Schultz, Strat, Vleck, Waller, Wright  
No: Storrs  
Absent: Chamberlain

### **MOTION CARRIED**

Chairman Littman stated that he is in agreement with Mr. Storrs' comments on the increased office density, but feels the development will be an attractive asset to a location that has been blighted for years.

Mr. DiMaggio expressed his appreciation to both the Commission and staff.

Mr. Storrs stated his findings are that the proposed PUD fails six of the eight objectives in the *Intent (35.10.00)* section, and that it also fails the objective that the provisions are not intended to be used as a device for avoiding the applicable zoning requirements. Mr. Storrs stated the proposed PUD fails three of five identified objectives in the *Eligibility (35.30.00 D.3.C)* section, as well as failing a number of General Development Standards. Mr. Storrs said he would like to see a much more aggressive use of mixed use, and feels a residential component is needed at that site.

### **SUBDIVISION**

5. **TENTATIVE PRELIMINARY PLAT** – Proposed Wyngate of Troy Subdivision, 74 Lots Proposed, North of Square Lake, East Side of Coolidge, Section 5- R-1B

Mr. Miller presented a summary of the Planning Department report for the proposed Wyngate Subdivision. Mr. Miller reported that it is the recommendation of the Planning Department to approve the Tentative Preliminary Plat application as submitted.

Mr. Miller addressed the Commission's questions with respect to storm water retention, ingress and egress lanes, and pedestrian improvements. It was agreed

to clarify that an 8-foot concrete sidewalk would be provided between lots 20 and 21.

Chairman Littman thanked the petitioner for holding an informational meeting for residents prior to tonight's meeting.

Robert Beaugrand, project manager from Atwell-Hicks, Inc., 7927 Nemco Way, Brighton, was present. Mr. Beaugrand gave a presentation with respect to the history of the site, lot size, storm water management, wetlands, interconnectivity with adjacent subdivisions, general land flow, boulevard entrance, pedestrian pathway and sidewalks.

Mr. Beaugrand responded to additional questions from the Commission relating to the detention pond, storm water retention and design of swale.

John DePorre of Pulte Homes, 26622 Woodward Avenue, Royal Oak, was also present.

Chairman Littman opened the floor for public comment.

Maureen Lucas of 6260 Country Ridge Drive, Troy, was present. Ms. Lucas expressed her concerns with the additional traffic that would result from opening up the road to the proposed subdivision.

Chairman Littman encouraged Ms. Lucas to contact the City Traffic Engineer and request the City's consideration in providing traffic calming devices in the area.

Mr. Waller encouraged the residents to contact the City Council members with their concerns, as City Council has the final approval of the proposed subdivision.

Don Czerniewski of 1811 Buckthorn Court, Troy, was present. Mr. Czerniewski expressed his concerns with the amount of water that sits on the northern border of the site. Mr. Czerniewski asked for clarification on the storm water management and the proposed walkway along the northern border.

The floor was closed.

Mr. Beaugrand gave a detailed explanation of the storm water management on the site. He said the water, from gravity flow, would be collected in centralized storm water pipes, piped through the subdivision and ultimately discharged into the pond. He noted a small portion of the water would be diverted to one of the sedimentation vaults. Mr. Beaugrand said that legally storm water could not be discharged at a higher rate than it is currently being discharged.

Mr. Beaugrand further explained that there are three 8-foot concrete sidewalks proposed in the development. One sidewalk would connect from the cul-de-sac to the north to the existing Forest Creek Subdivision. The 8-foot concrete sidewalk

would extend along Coolidge, and an 8-foot concrete sidewalk is proposed within the 20-foot pedestrian easement connecting to Fire Fighters Park. Mr. Beaugrand explained that the City requested a 5-foot wide wood chip path to connect from Coolidge along the northern border and into the existing path system of Fire Fighters Park. Mr. Beaugrand confirmed that storm water throughout the development would be managed well and that the residents would not end up with more water after completion of the development. Mr. Beaugrand also said it is their intent is to dedicate the open space and wetland area to the city.

**Resolution # PC-2003-10-031**

Moved by: Kramer

Seconded by: Schultz

**RESOLVED**, That the Planning Commission recommends to City Council that the Preliminary Plat for the Tentative Approval as requested for Wyngate of Troy Subdivision, including 74 lots, located on the east side of Coolidge Highway and north of Square Lake Road, within Section 5, and the R-1B zoning district be granted, subject to the following conditions:

1. The subdivision is developed per the drawing before the Commission this evening.
2. That two 8-foot paved concrete walkways exist; one on the northwest corner of the site and one to the east connecting to Fire Fighters Park.

Yes: All present (8)

No: None

Absent: Chamberlain

**MOTION CARRIED**

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Chairman Littman requested a recess at 9:25 p.m.

The meeting reconvened at 9:37 p.m.  
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**STREET VACATION REQUEST**

6. PUBLIC HEARING – STREET VACATION REQUEST (SV-184) – Crestfield Avenue between Hanover and Tallman, and Tallman Drive, abutting Lots 64, 65 and 192 of Crestfield Subdivision, North of Wattles, East of Livernois, Section 15 – R-1C

Mr. Miller presented a summary of the Planning Department report for the proposed street vacation. Mr. Miller reported that it is the recommendation of the Planning Department to approve the street vacation request with the conditions of the retention of all necessary easements as required by the City of Troy, the dedication of the necessary right-of-way for Wattles and Hanover, and the dedication of future right-of-way for the Crestwood Site Condominium.

Mr. Miller reported that the developer has expressed an interest in changing the layout of the development that may require the plan to go through the approval process again. Mr. Miller suggested the Commission could go forward with the street vacation recommendation contingent that it is necessary to vacate a road prior to any development.

Mr. Storrs asked if the Planning Department is concerned about easements associated with new development.

Mr. Miller explained that the vacation takes place after the City conducts a research on the necessary easements and City Council approves an authorizing resolution.

The petitioner, Michael Lamb of RWT Building, 2065 Livernois, Troy, was present. Mr. Lamb stated that he owns the entire property abutting the proposed vacation. He said easements for the existing public utilities would be reserved and relocated, if necessary, within the development. Mr. Lamb said that the Hanover right-of-way has been dedicated, and noted that the ultimate right-of-way of Livernois has been designated in the plans.

#### PUBLIC HEARING OPENED

No one was present to speak.

#### PUBLIC HEARING CLOSED

#### **Resolution # PC-2003-10-032**

Moved by: Wright

Seconded by: Vleck

**RESOLVED**, That the Planning Commission hereby recommends to the City Council that the street vacation request, as submitted, for Crestfield Avenue, between Hanover and Tallman, and Tallman Drive, abutting Lots 64, 65, and 192 of Crestfield Subdivision, North of Wattles, East of Livernois, in Section 15, being zoned R-1C, be approved, subject to the following conditions:

1. Retention of all necessary easements as required by the City of Troy.
2. Dedication of Wattles and Hanover ultimate right-of-way.

3. Dedication of future right-of-way for the proposed Crestwood Site Condominium.

Yes: All present (8)  
No: None  
Absent: Chamberlain

**MOTION CARRIED**

**SITE PLANS**

Chairman Littman announced that the following site plans require five affirmative votes this evening, and in light of the fact that there is one member absent, a petitioner has the right to request tabling his/her request until a full board is present.

7. SITE PLAN REVIEW (SP 38-E) – Lord & Taylor, Proposed Addition to Oakland Mall, Northwest Corner of John R and Fourteen Mile Road, Section 35 – B-3

Mr. Savidant presented a summary of the Planning Department report for the proposed Lord & Taylor Store at Oakland Mall. Mr. Savidant reported that it is the recommendation of the Planning Department to table the site plan approval request for 30 days to allow time to resolve the outstanding issues, as listed.

- (1) The two alternate site plans show different designs and different number tabulation for off-street parking.
- (2) The applicant has not provided a sufficient parking study as required by the City Traffic Engineer.
- (3) Based on one of the site plans submitted, the applicant is 13 spaces short of meeting the off-street parking space requirement as set forth in the City Council variance of April 28, 2003.
- (4) The applicant has provided only a 5-foot wide sidewalk along Fourteen Mile Road when an 8-foot wide sidewalk is standard.
- (5) The site is non-conforming in terms of 5-foot wide connecting sidewalks that would provide connecting sidewalks from all major mall entrances to the abutting major thoroughfares.

Mr. Savidant noted that the Commission received a memorandum addressing the correction to the Resolution passed by City Council with respect to the parking variance received by the petitioner. The correct amount of parking spaces for which the petitioner has been granted is 1,106. He noted that the site plan is substandard also in terms of parking space width.

Mr. Savidant reported that although the petitioner has submitted two alternate site plans in an attempt to resolve the parking concerns, neither site plan is in conformance with the ordinances. The plan that meets the required number of parking spaces does not meet the required width of the parking space. The plan

that meets the required width of the parking space does not meet the required number of parking spaces.

A brief discussion followed with respect to the connecting sidewalks to the mall entrance.

The petitioner, Douglas Mossman of Oakland Mall LLC, 39577 Woodward Avenue, Suite 220, Bloomfield Hills, was present. Mr. Mossman said he believes the Planning Department's report contains misstatements, and is infuriated and embarrassed because of his good association with the City. Mr. Mossman stated that he has worked with Lord & Taylor for over three years on this project, as well as negotiated with the mall's current anchor stores, and noted the project is vital to the continued success and survival of Oakland Mall. He said he would continue his efforts to work with the Planning Department and the City Council to get this project under construction.

Mr. Mossman introduced representatives who have worked on the project, and circulated his correspondence to the Planning Department dated October 8, 2003. He presented a brief history and referenced original site plans of Oakland Mall.

There was a very lengthy discussion on the site plan with respect to the required parking spaces, the width of the parking spaces, the required sidewalk and its location with respect to existing trees, and the traffic study.

Steve Corcoran of Metro Transportation Group was present to give a brief review of the traffic study provided for the project. He stated his cooperation with the Planning Department's request for further information per the request of the City Traffic Engineer.

Chas Miller, Director of Construction Maintenance of Oakland Mall, 412 W. Fourteen Mile Road, Troy, was present. He reported that there are several species of trees along Fourteen Mile Road that would be affected by the location of the required sidewalk.

**Resolution # PC-2003-10-033**

Moved by: Vleck

Seconded by: Wright

**RESOLVED**, That the Preliminary Site Plan for the proposed Lord & Taylor addition to Oakland Mall, located on the north side of Fourteen Mile Road, west of John R Road, Section 35, within the B-3 zoning district is hereby granted, subject to the following conditions:

1. The applicant will provide a parking lot study per the request of the City Traffic Engineer.

2. The applicant will receive a variance for either a reduction in the size of parking spaces or for the number of parking spaces required.
3. The applicant will receive a sidewalk variance to install a 5-foot sidewalk along Fourteen Mile Road and the Commission encourages the sidewalk be placed closer to the parking lot versus closer to Fourteen Mile Road.
4. The applicant will resubmit the site plan to the Planning Commission should there be any major changes to the site plan.

Discussion on the motion.

Mr. Miller suggested that the motion on the floor be amended to read that the applicant either receives a variance for the parking and sidewalk or resolves the issues with the Planning Department.

Mr. Kramer suggested that the motion reflect that any existing trees removed for the construction of the required sidewalk are replaced elsewhere within the site plan.

The petitioner agreed with the tree replacement within the site plan.

The motion (Resolution #PC-2003-10-033) on the floor was withdrawn.

**Resolution # PC-2003-10-034**

Moved by: Vleck

Seconded by: Schultz

**RESOLVED**, That the Preliminary Site Plan for the proposed Lord & Taylor addition to Oakland Mall, located on the north side of Fourteen Mile Road, west of John R Road, Section 35, within the B-3 zoning district is hereby granted, subject to the following conditions:

1. The applicant will provide the parking lot study per the request of the City Traffic Engineer.
2. The applicant will work diligently with the Planning Department to resolve the required number of parking spaces at the correct width, **or** the applicant will obtain a variance for either the reduction of the size of the parking spaces required or for the number of parking spaces required.
3. The applicant will install the correct width of the sidewalk on the site plan, **or** receive a variance for the reduction in the size of the sidewalk to 5-foot; further, any trees removed to install the sidewalk will be replaced within the site plan; further, any connecting sidewalks or existing paved areas may be painted; and further, the Commission encourages the sidewalk be placed closer to the



parking lot versus closer to Fourteen Mile Road that would provide a buffer zone between the sidewalk and the major thoroughfare.

4. The applicant will resubmit the site plan to the Planning Commission should there be any major changes to the site plan.

Mr. Kramer said the Planning Commission should not be engineering and approving a site plan that is not before the deciding body. Mr. Kramer said he could not support a 5-foot sidewalk on a major thoroughfare because the Commission has tried very hard for a very long time to get the City to require 8-foot sidewalks for all the good reasons. The argument that it is difficult for a petitioner to put in an 8-foot sidewalk bears no weight.

Chairman Littman agreed that petitioners place the Commission and City staff in difficult situations with time constraints. Chairman Littman said he is willing to bend over backwards this time because Oakland Mall is a special development with a special need.

Vote on the motion on the floor.

Yes: Littman, Schultz, Strat, Vleck, Waller, Wright  
No: Kramer, Storrs  
Absent: Chamberlain

### **MOTION CARRIED**

Mr. Storrs agrees with Mr. Kramer's discussion on sidewalks and would have preferred that the sidewalk condition be omitted from the motion.

Mr. Kramer voiced two reasons for his negative vote. (1) The Commission does not have the authority to grant a variance on a sidewalk and to review and approve a site plan that does not meet City ordinance. (2) It's not the purview of the Planning Commission to engineer details of a site plan that comes before the body during a business meeting.

Mr. Vleck encouraged the petitioner to install an 8-foot sidewalk along the entire corridor of Fourteen Mile Road.

Mr. Schultz requested information on specifically what the Traffic Engineer's request was for the parking study for the Lord & Taylor site.

8. SITE PLAN RENEWAL (SP 673) – Office Properties LLC, Proposed Office Building, North Side of Big Beaver, West of John R, Section 23 – O-1 and P-1

Mr. Savidant presented a summary of the Planning Department report for the proposed office building. He noted that the site plan application has not been

changed since its last submittal one year ago. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan as submitted.

The petitioner, Dale Garrett of Office Properties, LLC, 5877 Livernois, Troy, was present.

**Resolution # PC-2003-10-035**

Moved by: Waller

Seconded by: Wright

**RESOLVED**, That Preliminary Site Plan Approval, as requested for Office Properties LLC, proposed office building, located on the north side of Big Beaver Road and west of John R Road, located in section 23, within the O-1 zoning district is hereby granted, subject to the following conditions:

Yes: All present (8)

No: None

Absent: Chamberlain

**MOTION CARRIED**

9. SITE PLAN REVIEW (SP 645) – Wilson Real Estate Building, Proposed Office Building, Northeast Side of Butterfield, South of Big Beaver, Section 29 – O-1

Mr. Savidant presented a summary of the Planning Department report for the proposed office building. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan as submitted.

David Tremonti of Oliver/Hatcher Construction, 49668 Martin Drive, Wixom, was present to represent the petitioner. Mr. Tremonti presented a color rendering of the proposed development, and noted the site plan is a duplicate plan that received preliminary site plan approval in 2001.

Mr. Kramer questioned the location of the handicapped parking spaces and the dumpster enclosure.

Mr. Tremonti responded that the handicapped parking designations are located on the north side of the building as a result of the grading on site. He stated the dumpster enclosure is located on the southeast corner and noted that an additional dumpster enclosure located on the northeast corner is used by the adjacent office development.

**Resolution # PC-2003-10-036**

Moved by: Wright

Seconded by: Schultz

**RESOLVED**, That Preliminary Site Plan Approval as requested for Wilson Real Estate Building located on the northeast side of Butterfield, south of Big Beaver Road, located in section 29, within the O-1 zoning district is hereby granted.

Yes: All present (8)  
No: None  
Absent: Chamberlain

**MOTION CARRIED**

10. SITE PLAN REVIEW (SP 899) – Automation Alley Technical Center, Proposed Office / Research Building, South of Big Beaver, West Side of Bellingham, Section 26 – R-C

Mr. Savidant presented a summary of the Planning Department report for the proposed Automation Alley Technical Center. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan as submitted subject to the applicant receiving a parking variance and the provision of a 24-foot wide cross access easement connection with the property to the north, on the western half of the parcel. Mr. Savidant said a Public Hearing for the parking variance has been scheduled on the October 27, 2003 City Council meeting.

Mr. Miller apologized for not making it clear in the Planning Department's report that the approval of the site plan is at the Commission's discretion. The site plan as submitted does not meet the zoning ordinance, and it is not a practice of the Planning Department to ask the Commission's approval on items that are contingent to receiving variances.

Mr. Storrs asked if the Planning Department has any concerns should there be a use change in the proposed oval gathering area.

Mr. Miller responded that the oval gathering area is considered an assembly place - not office -- and is a very high parking generator. In the parking computations done by the Building and Zoning Director, the count of required parking would have been less if it had been designated office space.

Alex Smith of Barton Malow Design, 26500 American Drive, Southfield, was present to represent Automation Alley. Mr. Smith said there is no problem meeting both contingencies requested by the Planning Department.

**Resolution # PC-2003-10-037**

Moved by: Wright  
Seconded by: Storrs

**RESOLVED**, That Preliminary Site Plan Approval as requested for Automation Alley Technical Center located on the west side of Bellingham, south of Big Beaver Road,

located in section 26, within the RC zoning district, is hereby granted, subject to the following conditions:

1. The applicant must receive a parking variance for 81 spaces from City Council in order to meet the off-street parking space requirement of 151 spaces.
2. Provide a 24-foot wide cross access easement connection with the property to the north, on the western half of the parcel.

Yes: Kramer, Littman, Schultz, Storrs, Strat, Waller, Wright

No: Vleck

Absent: Chamberlain

### **MOTION CARRIED**

Mr. Vleck said he would have preferred more information on the justification for the parking space variance.

11. SITE PLAN REVIEW (SP 900) – National Business Systems, Proposed Office / Storage Building, South of Big Beaver, West Side of Bellingham, Section 26 – R-C

Mr. Savidant presented a summary of the Planning Department report for the proposed National Business Systems building. Mr. Savidant reported that it is the recommendation of the Planning Department to approve the site plan as submitted.

It was noted by the Planning Department and confirmed that the final engineering drawing would designate the centerline cross access to extend northward.

The petitioner, Robert Shephard of 2139 Austin Driver, Rochester Hills, was present.

### **Resolution # PC-2003-10-038**

Moved by: Vleck

Seconded by: Strat

**RESOLVED**, That the Site Plan Approval as requested by National Business Systems, located on the west side of Bellingham, south side of Big Beaver Road, within section 26, within the RC zoning district is hereby granted.

Yes: All present (8)

No: None

Absent: Chamberlain

### **MOTION CARRIED**

12. PROPOSED ZONING ORDINANCE TEXT AMENDMENT FOR SECTION 12.50, R-1T ONE FAMILY ATTACHED RESIDENTIAL DISTRICTS (ZOTA #182) and PROPOSED ZONING ORDINANCE TEXT AMENDMENT FOR SECTION 03.40, SITE PLAN REVIEW / APPROVAL (ZOTA #199)

Chairman Littman provided the Commission with a draft resolution to be considered by the City Council with respect to the proposed zoning ordinance text amendments for One Family Attached Residential Districts and Site Plan Review / Approval.

**Resolution # PC-2003-10-039**

Moved by: Littman

Seconded by: Vleck

**RESOLVED**, That based upon the knowledge and commitment to excellence of the Planning Commission, we formally voice our concerns to the 'staff revisions' contained in the memos dated September 30, 2003 to Mayor and City Council regarding Announcement of Public Hearing (October 27, 2003) – Zoning Ordinance Text Amendment for Section 12.50, R1-T One Family Residential District (ZOTA #182) and October 1, 2003 memo to Mayor and City Council regarding Announcement of Public Hearing (October 27, 2003) – Zoning Ordinance Text Amendment for Section 03.40, Site Plan Review / Approval (ZOTA #199). Specific examples of areas of concern are:

1. With the development of small in-fill developments in R1-T throughout the City, there is a serious issue with the developers not providing any areas for the placement of snow during our winter season. The Planning Commission feels that it is reasonable for the petitioner to provide delineation of area(s) on the site plan for the loading of snow so that roadways (private and public), walkways and/or parking areas remain usable. Additionally, it is our consensus that the parking requirements for this district are insufficient. The complete recommendations of the Planning Commission can be found in the Proposed Zoning Ordinance Text Amendment (ZOTA #182) as recommended by Planning Commission on December 10, 2002.
2. It is the consensus of the Planning Commission that initial site plans cannot be adequately reviewed without the topography of the site in question, and surrounding properties, is provided. There are many examples of water, drainage and elevation issues that exist after the development is built that are worse than they were prior to the new development. The Planning Commission, although aware of and highly concerned about these issues, is not provided the tools required to address them at initial site plan approval. It would be in the best interest of the City, the Petitioner, and surrounding property owners if these issues could be addressed by the Planning Commission at the time of initial Site Plan Approval instead of being handled 'administratively' after the fact. The complete recommendations of the Planning Commission can be found in the

Proposed Zoning Ordinance Text Amendment (ZOTA 199) as recommended by Planning Commission on May 13, 2003.

***BE IT FURTHER RESOLVED***, That if Staff's recommendation differs from that of the Planning Commission, said Commission should be afforded the opportunity to have a representative present at the City Council meeting to explain and defend the Commission's rationale for their recommendations.

Yes: All present (8)  
No: None  
Absent: Chamberlain

**MOTION CARRIED**

### **GOOD OF THE ORDER**

Mr. Storrs said he feels the PUD process should be streamlined.

Chairman Littman reminded Mr. Storrs that the PUD process is a suggested discussion item with City Council.

Mr. Kramer said that minimum site plan size and sidewalks are two of his concerns with respect to the PUD process.

Mr. Waller announced that October 18<sup>th</sup> marks his 10-year anniversary with the Planning Commission.

The Commission congratulated Mr. Waller.

Mr. Schultz announced that he completed the Citizens Planners Workshop last Monday. He also said that he is in possession of the Novi ordinances and would forward them to the Planning Department.

### **ADJOURN**

The Regular Meeting of the Planning Commission was adjourned at 11:40 p.m.

Respectfully submitted,

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Lawrence Littman, Chairman

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Kathy L. Czarnecki, Recording Secretary

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